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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,935	07/24/2006	Fons Schipper	US040070	5411

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EXAMINER

SAINT CYR, JEAN D

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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06/27/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/586,935	Applicant(s) SCHIPPER, FONS	
	Examiner JEAN D. SAINT CYR	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claims 1-5, filed 7/24/2006, are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Uchilda et al, US Patent No. 20020054028.

Re claim 1, Uchilda et al disclose a video playback device(see fig.2, display apparatus) including means for on-screen control of playback control functions of said video playback device(see fig.2, element 121, touch panel), said means for on-screen control comprising:
means for generating(see fig.2, element 105, osd processing section), for display, a plurality of icons representing all of the playback control functions of said video playback device(see fig.2, plurality of icons; a control panel corresponding to an object apparatus may be displayed by operating the corresponding changeover icons, 0092) ;
means for moving a cursor(see fig.2, element 141, key inputting section) among said plurality of icons in order to indicate a desired one of said plurality of icons ;means(user selectable operations, 0014) for selecting said desired one of said plurality of icons(A touch screen is provided on the display screen for detecting a location at which the user touches the display screen. An operation signal is then generated corresponding to the item displayed at the position touched on the display screen,0008) ; and
means(see fig.2, element 131, CPU) for enabling the playback control function represented by the selected one of said plurality of icons(The control section 230 may be a microcomputer composed of a CPU 231,0058).

Re claim 2, Uchilda et al disclose wherein said moving

means and said selecting means is a remote control unit having cursor control keys (see fig.2, element 141, key inputting section).

Re claim 3, Uchida et al disclose wherein said generating means further comprises: means for indicating which one of said playback control functions as represented by said plurality of icons, is currently active (the control panel can be used to control operation of the apparatus such as switching on/off of the power supply, 0089; that means users will be able to see the active icon).

Re claim 4, Uchida et al disclose wherein said selecting means further comprises: means for indicating (when character information indicating channel selections or a volume bar indicating the volume level is to be displayed, 0048)said desired selection on said selected icon(see fig.9b, icon).

Re claim 5, Uchida et al disclose wherein said video playback device comprises: a controller (see fig.2, element 141, key inputting section; for receiving video signals from an auxiliary video playback device having playback control functions(the remote control signal reception section 332 can receive signals not only from the remote controller for the set-top box 300, but also from the remote control signal transmission section 250 of the base apparatus 200,0069), said controller further generating playback control signals for controlling all of the playback control functions of said auxiliary video playback device(A control signal is generated when a received operation signal corresponds to an operation of an external input apparatus. The external input apparatus can, for example, be a set-top box, a video tape recorder, a digital versatile disk apparatus, or the like, 0013; that means the remote controller is able to control all other devices connected to the system); an input/output interface(an output terminal 307 for a video signal, Vd, and an output terminal 308 for an audio signal ,Au, 0068) for connecting to an auxiliary video playback device, said input/output interface supplying said received video signals to said controller and receiving said playback control signals from said controller(The video signal output from the set-top box 300 is then supplied to the base apparatus 200 through the input terminal 204 of the base apparatus 200 as described hereinabove, 0074; that means there is input/output interface) ; and means for

switching said generating means to generate(The selector 206 switchably outputs in response to a switching control signal from the control section 230 either the signal from the demodulation, 0062), for display, a plurality of icons representing the playback control functions of said auxiliary video playback device(see fig.9B, plurality of icons) .

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Novak et al (US. Pat. 7320137) disclose a method and system for distributing personalized editions of media programs using bookmark.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

Jean Duclos Saintcyr
/Brian T. Pendleton/

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Supervisory Patent Examiner, Art Unit 2623